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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,801	02/25/2005	Hae-Yong Choi	CHOI3028/JEK	3003

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EXAMINER

DO, ROBERT C

ART UNIT PAPER NUMBER

2851

DATE MAILED: 11/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/525,801

Applicant(s)

CHOI, HAE-YONG

Examiner

Robert C. Do

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 8/2/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 1, 2, and 4 are objected to because of the following informalities:

(a) Re claim 1, line 1: "a screen" should be changed to --the screen--;

(b) Re claim 1, line 2: "the screen can be rolled up by the lower rod" is an optional language and does not particularly require "the screen" to be "rolled up". Therefore, "the screen can be rolled up by the lower rod" should be changed to --the screen is configured to rolled up by the lower rod--. For examination purpose, the limitation has been interpreted to mean that --the screen is configured to rolled up by the lower rod--;

(c) Re claim 1, line 3: the broad limitation ("a magnetic material") followed by "such as" and then narrow language ("steel") does not clearly set forth the metes and bounds of the claim. Thus, "a magnetic material such as steel are" should be changed to --a magnetic material including steel is--;

(d) Re claim 2, line 2: "the magnets can be coupled" is an optional language and does not particularly require the magnets to be "coupled". Therefore, "the magnets can be coupled" should be changed to -- the magnets are configured to be coupled --. For examination purpose, the limitation has been interpreted to mean that -- the magnets are configured to be coupled --; and

(e) Re claim 4, line 2: "the lower rod can be exchanged" is an optional language and does not particularly require the lower rod to be "exchanged". Therefore, "the lower rod can be exchanged" should be changed to -- the lower rod is configured to be exchanged --. For examination purpose, the limitation has been interpreted to mean that -- the magnets are configured to be coupled --.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zinn (US 4,110,003) in view of Nellessen (US 5,128,644) and Shimizu (US 6,470,950).

Zinn teaches the following claimed elements:

Re. Claim 1, a wall roll-up screen wherein:

- A screen is attached between upper (Fig. 1, 21) and lower rods (22) and the screen can be rolled up by the lower rod (see arrows around lower rod in Fig. 1), wherein groove shaped rings (38) attached on left and right ends of the upper rod of the screen.

Zinn does not teach:

- Wherein groove shaped rings processed with a magnetic material such as steel.

However Nellessen teaches:

- Wherein groove shaped rings processed with a magnetic material such as steel. (Column 4, lines 55-65, teach that the end caps can be made of a magnetic material such as zinc)

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the groove shaped rings of Zinn into a magnetic material such as taught by Nellessen for the purpose of making the rings more durable during transport compared to plastic ones.

Zinn as modified by Nellessen does not teach:

- Magnets are coupled on left and right ends of the lower rod of the screen, so that the screen is rolled up and then the magnets of the left and right of the lower rod are coupled with the groove shaped rings of the upper rod when the screen is carried, and the magnets and the groove shaped rings are separated when the screen is used.

However, Shimizu teaches:

- Magnets (Fig. 1, 5b) are coupled on left and right ends of the lower rod of the screen, so that the screen is rolled up and then the magnets of the left and right of the lower rod are coupled with the groove shaped rings of the upper rod when the screen is carried, and the magnets and the groove shaped rings are separated when the screen is used. (Column 2, lines 15-20 teach of magnets at the end of the screen.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add magnets at the end of the screen of Zinn as modified by Nellessen for the purpose of allowing the screen to clamp to the wall when extended fully.

Allowable Subject Matter

Claims 2 through 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The limitation wherein the groove shaped rings have grooves where the magnets can be coupled with the inner part of the groove shaped rings is not taught in any of the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takahashi (US 3,568,751) teaches of a screen with upper and lower rods with groove shaped rings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Do whose telephone number is (571)272-1387. The examiner can normally be reached on Monday Through Friday, 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on (571)272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RCD



DIANE LEE
SUPERVISORY PATENT EXAMINER